

Remarks

Claims 1-20 are pending in the application, of which claims 1-14 are allowed and claims 15-18 are rejected. By this paper, applicant has amended claim 15 in order to clarify the claim. Claims 19 & 20 have been amended to be consistent with base claim 15.

Elections/Restrictions

The Examiner asserts that claims 19 and 20, which recite “a slot having a tapered width” are limited to Species I, and not elected Species II. With reference to Figure 8 of elected Species II, slot 642 has a tapered width between dimensions w_3 and w_4 . This width is tapered similar to that of Species I. Slot 46 in Figure 5 of elected Species I is described in the specification at page 12, line 3-6, with “curved posterior edge 46c provides a greater width w_1 of slot 46 and gradually tapers to the width w_2 provided between interior vertical edge 46a and posterior vertical edge 46b.” Due to the similarities of the slots in both Species, slot 642 of Species II tapers between widths w_3 and w_4 . Since claims 19 and 20 read on elected Species II, claims 19 and 20 are not withdrawn.

Claim Rejections - 35 U.S.C. § 112

The Examiner has rejected claims 15-18 under 35 U.S.C. § 112, first paragraph. As pointed out by the Examiner, claim 15 recites, “wherein the impact diversion mechanism diverts the impact force to a side surface of the shuttle.” It is also pointed out by the Examiner, that the specification states that in the elected embodiment for Species II “the impact force resulting from insertion of a storage medium into the shuttle is conveyed to the protrusion and the flange.” The Examiner incorrectly states “[t]he protrusion and the flange are on fixed plates not on the side surface of the shuttle.” The “protrusion 635 extends from shuttle side surface 636 and is situated for abutment with flange 648 disposed on side plate 640.” Page 14, lines 25-27 and Figures 6A and 6B. Thus, the protrusion is **on the side surface of the shuttle** and the impact diversion mechanism diverts the impact force to a side surface of the shuttle.

Therefore, claim 15 is enabled by the specification. Further, one skilled in the art to which it pertains can make and or use the invention, contrary to the Examiner's assertion.

The Examiner rejected claims 16-18 for their dependence from claim 15. Since claim 15 is enabled, claims 16-18 overcome the rejection as well.

Claim Rejections - 35 U.S.C. § 102

The Examiner has rejected claims 15-18 under 35 U.S.C. § 102(b) as being anticipated by Ando et al. (U.S. 4,831,472). The Examiner asserts that Ando et al. "inherently diverts an impact force applied to the load and unload apparatus." The Examiner further states that "the elevator mechanism functions as an impact diversion mechanism for somehow diverting an impact force resulting from the insertion of the storage medium into the cavity in the shuttle." To further clarify this claim, Applicant has amended claim 15 so that the shuttle includes at least one pin and the elevator mechanism includes a slot so that the impact diversion mechanism "diverts the impact force to a side surface of the shuttle instead of the at least one pin." In contrast, Ando et al. has no impact diversion mechanism. Ando et al. inherently receives the impact force at the pins, and therefore Ando et al. has no impact diversion mechanism for diverting "the impact force to a side surface of the shuttle instead of the at least one pin" as claimed. Since Ando et al. fails to teach or disclose all of the limitations of claim 15, claim 15 is not anticipated by Ando et al.

Claims 16-18 depend from claim 15 and therefore claims 16-18 are not anticipated by Ando et al. for at least the reasons stated above with reference to claim 15.

Regarding claim 16, the Examiner states that Ando et al. further shows a protrusion (at the top of 26) extending from the side surface. However, claim 16 requires that the protrusion extend from the side surface, which is introduced in claim 15 as being a side surface of the shuttle. Since the protrusion 26 of Ando et al. does not extend from the shuttle 25 of Ando et al., claim 16 is not anticipated by Ando et al.

Allowable Subject Matter

Applicant appreciates the Examiner's indication that claims 1-14 are allowed.

Conclusion

In view of the foregoing, Applicant respectfully asserts that the application is in condition for allowance, which allowance is hereby respectfully requested.

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Respectfully submitted,

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